

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

|                          |   |                               |
|--------------------------|---|-------------------------------|
| SUSAN HAYES,             | ) |                               |
|                          | ) | CASE NO. 1:09-cv-0647         |
| Plaintiff,               | ) |                               |
|                          | ) |                               |
| v.                       | ) | MAGISTRATE JUDGE VECCHIARELLI |
|                          | ) |                               |
| COMMISSIONER OF SOCIAL   | ) |                               |
| SECURITY ADMINISTRATION, | ) | ORDER                         |
|                          | ) |                               |
| Defendant.               | ) |                               |

This case is before the magistrate judge by the consent of the parties. Before the court is the motion for attorney's fees of counsel for plaintiff, Susan Hayes ("Hayes"), pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412 ("EAJA"), including a request that the award be paid directly to plaintiff's counsel. Doc. No. 23. The agreement between Hayes and her attorney assigning EAJA fees to her attorney is attached to the motion. The Commissioner and plaintiff's counsel jointly stipulate that a total award of \$1,862.50, representing 15.8 hours of work is an appropriate award of fees in this case. Doc. No. 24. Included in the stipulation was the acknowledgment that plaintiff's attorney had attached a signed assignment of rights between Hayes and her counsel to her motion.

The court finds that the requested fees of \$1,862.50, representing 15.8 hours of work at less than a rate of \$125.00 an hour, is appropriate and reasonable. The court therefore awards Hayes \$1,862.50 in attorney fees pursuant to EAJA. On the basis of the

assignment in the record, the award should be payable to Hayes's attorney, Marcia W. Margolius.

**IT IS SO ORDERED.**

Date: April 22, 2010

/s/Nancy A. Vecchiarelli  
Nancy A. Vecchiarelli  
United States Magistrate Judge